

Notice of Allowability

Application No.

10/629,082

Examiner

Courtney D. Fields

Applicant(s)

OGINO, AKIRA

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 18 October 2007.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of _____
Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 31 August 2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Claims 1-9 have been amended.
2. Claims 1-9 are pending.

Response to Arguments

3. Applicant's arguments filed 18 October 2007 have been fully considered and they are persuasive.

Information Disclosure Statement

4. The Information Disclosure Statement respectfully submitted on 31 August 2007 has been considered by the Examiner.

Allowable Subject Matter

5. Claims 1-9 are allowed.
6. The following is an examiner's statement of reasons for allowance: The present invention is directed towards a content distribution method, terminal, and system for preventing content data to be illegally copied and distributed over the network. Claims 1, 4, and 9 identifies the uniquely distinct features "**converting user identification information and a storage definition flag into a watermark information through spreading modulation and embedding said watermark information in content, the user identification information uniquely assigned to said terminal device, the storage definition flag having a state previously set on said terminal device side**" and "**judgment means for judging, based on the state of said storage definition flag, whether decrypted content should be encrypted before being stored**". Claims

7 and 8 identifies the uniquely distinct features **"adding user identification information and a storage definition flag to content, the user identification information being uniquely assigned to said terminal device, the storage definition flag having a state previously set on said terminal device side, decrypting said encrypted content depending on the existence of said user identification information, judging based on the validity of said user identification information, whether said user identification information should be converted into watermark information through spreading modulation and then the watermark information should be embedded in said content, judging based on the state of said storage definition flag, whether said decrypted content should be encrypted before being stored, and storing said content having said watermark information embedded therein"**.

The closest prior art, Iwamura (US Patent No. 6,807,285) discloses a data processing apparatus having a first embedding unit adapted to embed first information in digital image data in accordance with a first embedding method which utilizes publicly available information. The apparatus also has a second embedding unit adapted to embed second information in the digital image data having the first information embedded therein in accordance with a second embedding method which utilizes secret information that is not made publicly available, the second information being used to detect whether the first information is altered.

However, either singularly or in combination, Iwamura fail to anticipate or render the claimed limitation of judgment means for judging, based on the state of said storage definition flag, whether decrypted content should be encrypted before being stored.

The closest prior art, Ishiguro (US Patent No. 7,216,368) discloses an information processing apparatus for managing copyrights under SDMI provisions as well as the copyrights for contents distributed over the Internet. Data Enc(Kc, Content) generated by encrypting a given content using a content key Kc are recorded, along with a header (Header), certificate (Cert), data Enc(KR, Kc) generated by encrypting the content key Kc using a root key KR, and an enabling key block (EKB). The header includes a content ID (CID), a license ID (LID), a URL, and a watermark (WM), supplemented with a header signature Sig(Header). The inventive apparatus is applied to devices that provide contents.

However, either singularly or in combination, Ishiguro fail to anticipate or render the claimed limitation of converting user identification information and a storage definition flag into a watermark information through spreading modulation and embedding said watermark information in content, the user identification information uniquely assigned to said terminal device, the storage definition flag having a state previously set on said terminal device side.

The closest prior art, Rhoads et al. (Pub No. 2002/0012443) discloses methods, devices and systems for reconfiguring a watermark detector. In many applications, it is useful to be able to change the operation of a watermark detector. Such changes may

include changing how the watermark detector decodes or interprets a watermark embedded in a signal of a given media type, such as audio, video or still images.

However, either singularly or in combination, Iwamura fail to anticipate or render the claimed limitation of judgment means for judging, based on the state of said storage definition flag, whether decrypted content should be encrypted before being stored.

7. Therefore, **claims 1, 4, 7, 8, and 9** and the respective **dependent claims 2, 3, 5 and 6** are in condition for allowance.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/629,082
Art Unit: 2137

Page 6

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CDF
cdf

December 7, 2007

Matthew Smithers
MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137